

BROMO COMMUNICATIONS, INC.
Broadcast Technical Consultants

AM BROADCAST ALLOCATION STUDY

WAYB

LATITUDE 38:3:14 LONGITUDE 78:55:31

FACTORS AFFECTING 1490 KHZ
08-20-1993

***** 1460 KHZ *****
KM (MI) DEGREES LATITUDE/LONGITUDE TY SH CL KW ANTENNA CALL CO ST CITY
**** NO STATIONS FOUND WITHIN ****
MAXIMUM SEARCH DISTANCE 117 KILOMETERS

***** 1470 KHZ *****
KM (MI) DEGREES LATITUDE/LONGITUDE TY SH CL KW ANTENNA CALL CO ST CITY
64.01 (39.77) 8.6 38:37:24/ 78:48:52 LI D 3 5.00 NDD- 687.3 WBTX US VA BROADWAY-TIMBERVILLE
222.50 (138.25) 203.5 36:12:46/ 79:54:46 CP D 3 5.00 DA2- 992.2 WWBG US NC GREENSBORO
MAXIMUM SEARCH DISTANCE 124 KILOMETERS

***** 1480 KHZ *****
KM (MI) DEGREES LATITUDE/LONGITUDE TY SH CL KW ANTENNA CALL CO ST CITY
133.70 (83.08) 229.9 37:16:21/ 80:44:52 LI D 3 5.00 ND1- 712.5 WTOY US VA SALEM
134.09 (83.32) 111.8 37:35:50/ 77:30:40 AP D 3 5.00 DA2- 824.4 WBBL US VA RICHMOND
134.12 (83.34) 111.8 37:35:50/ 77:30:39 LI D 3 5.00 DA2- 791.8 WBBL US VA RICHMOND
134.14 (83.35) 111.8 37:35:48/ 77:30:39 CP D 3 5.00 DA2- 791.8 WBBL US VA RICHMOND
149.66 (93.00) 67.1 38:34:6/ 77:20:20 LI D 3 1.00 DA2- 355.0 WPWC US VA DUMFRIES-TRIANGLE
223.13 (138.65) 165.0 36:6:46/ 78:16:50 LI D 3 0.50 ND1- 213.9 WYRN US NC LOUISBURG
249.44 (155.00) 351.0 40:16:12/ 79:23:13 LI D 3 0.50 DA1- 212.8 WCNS US PA LATROBE
250.81 (155.84) 28.0 40:20:17/ 77:32:23 LI D 3 0.50 ND1- 211.7 WSHP US PA SHIPPENSBURG
261.59 (162.54) 216.4 36:8:47/ 80:39:19 LI D 3 1.00 DAD- 291.3 WDIX US NC YADKINVILLE
346.50 (215.30) 255.2 37:11:54/ 82:42:42 LI D 3 5.00 NDD- 712.5 WNKY US KY NEOH
353.41 (219.60) 210.1 35:17:5/ 80:52:34 LI D 3 5.00 DA2- 667.6 WCRV US NC CHARLOTTE
365.09 (226.86) 33.7 40:45:53/ 76:31:18 LI D 3 1.00 DAN- 315.4 WISL US PA SHAMOKIN
376.84 (234.16) 327.7 40:53:53/ 81:19:9 LI D 3 5.00 DA2- 854.0 WHBC US OH CANTON
386.50 (240.16) 54.9 39:59:53/ 75:12:43 LI D 3 5.00 DA2- 687.2 WDAS US PA PHILADELPHIA
414.62 (257.63) 181.0 34:19:23/ 79:0:7 LI D 3 1.00 ND1- 313.8 WJHB US NC FAIR BLUFF
458.63 (284.98) 243.2 36:6:15/ 83:29:10 LI D 3 0.50 NDD- 204.8 WJFC US TN JEFFERSON CITY
MAXIMUM SEARCH DISTANCE 465 KILOMETERS

***** 1490 KHZ *****
KM (MI) DEGREES LATITUDE/LONGITUDE TY SH CL KW ANTENNA CALL CO ST CITY
3.71 (2.31) 42.9 38:4:42/ 78:53:47 LI U 4 1.00 ND1- 310.6 WAYB US VA WAYNESBORO
94.62 (58.80) 150.3 37:18:47/ 78:23:47 LI U 4 1.00 ND1- 309.0 WPAK US VA FARMVILLE
94.63 (58.80) 59.3 38:29:4/ 77:59:22 LI U 4 0.68 ND1- 310.5 WCVA US VA CULPEPER
169.92 (105.59) 293.6 38:39:11/ 80:43:10 LI U 4 1.00 ND1- 301.0 WSGB US WV SUTTON
187.59 (116.56) 203.8 36:30:21/ 79:46:18 LI U 4 1.00 ND1- 301.0 WLOE US NC EDEN
189.51 (117.76) 326.6 39:28:19/ 80:8:26 LI U 4 1.00 ND1- 323.5 WTCS US WV FAIRMONT
203.89 (126.69) 30.6 39:37:35/ 77:42:40 LI U 4 1.00 ND1- 408.8 WARK US MD HAGERSTOWN
204.85 (127.29) 249.6 37:23:23/ 81:5:58 LI U 4 1.00 ND1- 309.0 WAEE US WV PRINCETON
231.86 (144.07) 179.2 35:58:3/ 78:53:18 LI U 4 1.00 ND1- 394.3 WDUR US NC DURHAM
237.41 (147.52) 279.0 38:21:28/ 81:37:0 LI U 4 1.00 ND1- 297.7 WCZR US WV CHARLESTON
251.77 (156.44) 116.0 37:1:46/ 76:22:35 LI U 4 1.00 ND1- 434.5 WPEX US VA HAMPTON
252.22 (156.72) 0.5 40:19:25/ 78:53:49 LI U 4 1.00 ND1- 301.0 WNTJ US PA JOHNSTOWN
254.97 (158.43) 157.3 35:55:57/ 77:49:49 LI U 4 1.00 ND1- 259.1 WRMT US NC ROCKY MOUNT
268.09 (166.58) 305.2 39:25:7/ 81:28:34 LI U 4 1.00 ND1- 336.4 WMOA US OH MARIETTA

EXHIBIT #1
HOMETOWN MEDIA
WAYB AM RADIO STATION
1490 kHz - 1.0 kW
WAYNESBORO, VIRGINIA

SEPTEMBER 1993

298.13	(185.25)	208.6	35:41:12/ 80:30:15	LI U 4	1.00 ND1-	365.3 WSTP US NC SALISBURY
316.82	(196.86)	44.5	40:3:38/ 76:18:59	LI U 4	0.60 ND1-	240.6 WLPA US PA LANCASTER
320.45	(199.12)	333.8	40:37:47/ 80:36:9	LI U 4	1.00 ND1-	301.0 WOHI US OH EAST LIVERPOOL
320.49	(199.14)	333.8	40:37:48/ 80:36:10	CP U 4	0.66 ND1-	299.8 WOHI US OH EAST LIVERPOOL
328.65	(204.21)	241.5	36:35:45/ 82:9:42	LI U 4	1.00 ND1-	362.1 WOPI US VA BRISTOL (BRISTOL, TN)
332.40	(206.54)	179.7	35:3:45/ 78:54:30	LI U 4	1.00 ND1-	394.3 WFLB US NC FAYETTEVILLE
337.81	(209.91)	266.5	37:48:21/ 82:46:1	LI U 4	1.00 ND1-	441.0 WSIP US KY PAINTSVILLE
348.66	(216.65)	223.1	35:44:3/ 81:34:4	LI U 4	1.00 ND1-	276.8 W SVM US NC VALDESE
364.49	(226.48)	152.4	35:7:59/ 77:3:56	LI U 4	1.00 ND1-	305.8 WLOJ US NC NEW BERN
380.54	(236.46)	293.2	39:19:52/ 82:59:49	LI U 4	1.00 ND1-	303.0 WBEX US OH CHILLICOTHE

MAXIMUM SEARCH DISTANCE 702 KILOMETERS

***** 1500 KHZ *****

KM	(MI)	DEGREES	LATITUDE/LONGITUDE	TY SH CL	KW	ANTENNA	CALL	CO	ST	CITY	CLAS
196.78	(122.27)	55.5	39:2:30/ 77:2:45	LI D 1B	50.00	DA2-2655.4	WTOP	US	DC	WASHINGTON	CLAS
1403.66	(872.20)	308.0	45:1:32/ 93:2:38	LI D 1B	50.00	DAN-3618.8	KSTP	US	MN	ST. PAUL	CLAS
244.30	(151.80)	208.2	36:6:34/ 80:12:42	LI C 2	1.00	DAD-286.5	WSMX	US	NC	WINSTON-SALEM	
244.30	(151.80)	208.2	36:6:34/ 80:12:42	LI D 2	10.00	DAD-965.6	WSMX	US	NC	WINSTON-SALEM	
244.30	(151.80)	208.2	36:6:34/ 80:12:42	-- C 2	1.00	DAD-286.5	WSMX	US	NC	WINSTON-SALEM	
244.30	(151.80)	208.2	36:6:34/ 80:12:42	-- D 2	10.00	DAD-965.6	WSMX	US	NC	WINSTON-SALEM	
244.30	(151.80)	208.2	36:6:34/ 80:12:42	CP D 2	1.00	DAD-286.5	WSMX	US	NC	WINSTON-SALEM	
367.75	(228.51)	337.8	41:6:26/ 80:34:57	LI C 2	0.25	DAD-144.8	WGFT	US	OH	YOUNGSTOWN	
367.75	(228.51)	337.8	41:6:26/ 80:34:57	LI D 2	0.50	DAD-207.6	WGFT	US	OH	YOUNGSTOWN	
409.19	(254.26)	217.2	35:5:18/ 81:38:40	LI C 2	0.50	NDD-212.8	WEAC	US	SC	GAFFNEY	
409.19	(254.26)	217.2	35:5:18/ 81:38:40	LI D 2	1.00	NDD-301.0	WEAC	US	SC	GAFFNEY	

MAXIMUM SEARCH DISTANCE 454 KILOMETERS

***** 1510 KHZ *****

KM	(MI)	DEGREES	LATITUDE/LONGITUDE	TY SH CL	KW	ANTENNA	CALL	CO	ST	CITY	CLAS
720.98	(448.00)	256.4	36:16:15/ 86:45:24	LI D 1B	50.00	DAN-2810.8	WLAC	US	TN	NASHVILLE	CLAS
3269.14	(2031.35)	301.4	47:35:44/ 117:22:15	LI D 1B	50.00	DAN-2571.8	KGA	US	WA	SPOKANE	CLAS

MAXIMUM SEARCH DISTANCE 214 KILOMETERS

***** 1520 KHZ *****

KM	(MI)	DEGREES	LATITUDE/LONGITUDE	TY SH CL	KW	ANTENNA	CALL	CO	ST	CITY	CLAS
524.03	(325.62)	0.7	42:46:10/ 78:50:34	LI U 1B	50.00	DA1-2776.1	WWKB	US	NY	BUFFALO	CLAS
1679.81	(1043.78)	265.3	35:20:0/ 97:30:16	LI D 1B	50.00	DAN-2708.4	KOMA	US	OK	OKLAHOMA CITY	CLAS

MAXIMUM SEARCH DISTANCE 104 KILOMETERS

BROMO COMMUNICATIONS, INC.
Broadcast Technical Consultants

WAYB
1490 kHz

LATITUDE 38 3'14" LONGITUDE 78 55'31"

AM STATIONS WITHIN 5 KM

FREQ	KM	MI	BEARING	LAT / LONG	STATUS CL	PWR	FIELD	CALL CO ST CITY
970	3.83 (	2.38)	18.1	38- 5-12/ 78-54-42	LI D 3	5.0	DA-630.	WANV US VA WAYNESBORO
970	3.83 (	2.38)	18.1	38- 5-12/ 78-54-42	LI N 3	1.0	DA-338.	WANV US VA WAYNESBORO
1490	3.71 (	2.31)	42.9	38- 4-42/ 78-53-47	LI U 4	1.0	ND-311.	WAYB US VA WAYNESBORO

FM STATIONS WITHIN 12 KM

CHANNEL	KM	MI	BEARING	LAT / LONG	STATUS	PWR	CALL	ST	CITY
201D	6.44 (	4.00)	115.5	38- 1-44/ 78-51-32	CP	0.02	W201AH	VA	Waynesboro
207B1	11.19 (	6.95)	83.0	38- 3-58/ 78-47-54	LI	0.19	WVTU	VA	Charlottesville
211B1	5.42 (	3.37)	122.0	38- 1-41/ 78-52-22	CP	2.50	WPVA.C	VA	Waynesboro
220D	11.19 (	6.95)	83.0	38- 3-58/ 78-47-54	CP	0.01	W220AB	VA	Waynesboro, etc.
221D	6.44 (	4.00)	115.5	38- 1-44/ 78-51-32	LI	0.02	W221AK	VA	Waynesboro
259B	10.59 (	6.58)	83.6	38- 3-52/ 78-48-18	LI	3.30	WAIVFM	VA	Staunton

TV STATIONS WITHIN 12 KM

CHANNEL	KM	MI	BEARING	LAT / LONG	STATUS	PWR	CALL	ST	CITY
NONE									

79-30-00

38-30-00

PRESENT WAYB - WAYNESBORO VA
1490 kHz / 1.0 kW
N LAT 38-04-42
W LONG 78-53-47
CONTOURS AT 0.25 kW
0.5 mV/m
0.025 mV/m

WCVA - CULPEPER VA
1490 kHz / 1.0 kW
N LAT 38-29-04
W LONG 77-59-22
CONTOUR AT 1.0 kW
0.5 mV/m
CONTOUR AT 0.25 kW
0.025 mV/m

PROPOSED WAYB WAYNESBORO VA
STA REQUEST
1490 kHz / 1.0 kW
N LAT 38-03-14
W LONG 78-55-31
CONTOURS AT 0.25 kW
0.5 mV/m
0.025 mV/m

NO NEW INTERFERENCE
CREATED

WPAK FARMVILLE VA
1490 kHz 1.0 kW
N LAT 37-18-47
W LONG 78-23-41
CONTOUR AT 1.0 kW
0.5 mV/m
CONTOUR AT 0.25 kW
0.025 mV/m

38-00-00

37-30-00

77-30-00

78-00-00

79-00-00

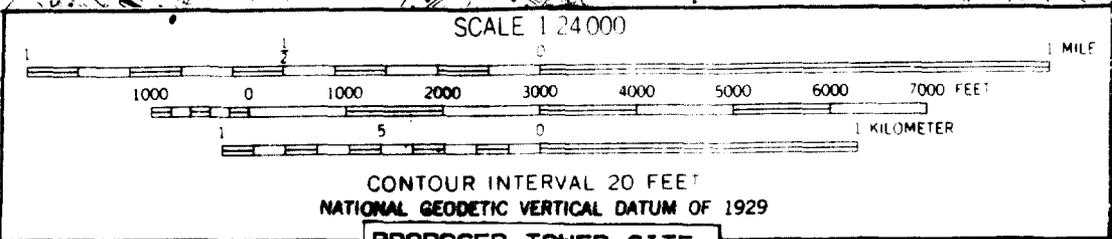
78-30-00

EXHIBIT #2
HOMETOWN MEDIA
WAYB AM RADIO STATION
1490 kHz - 1.0 kW
WAYNESBORO, VIRGINIA

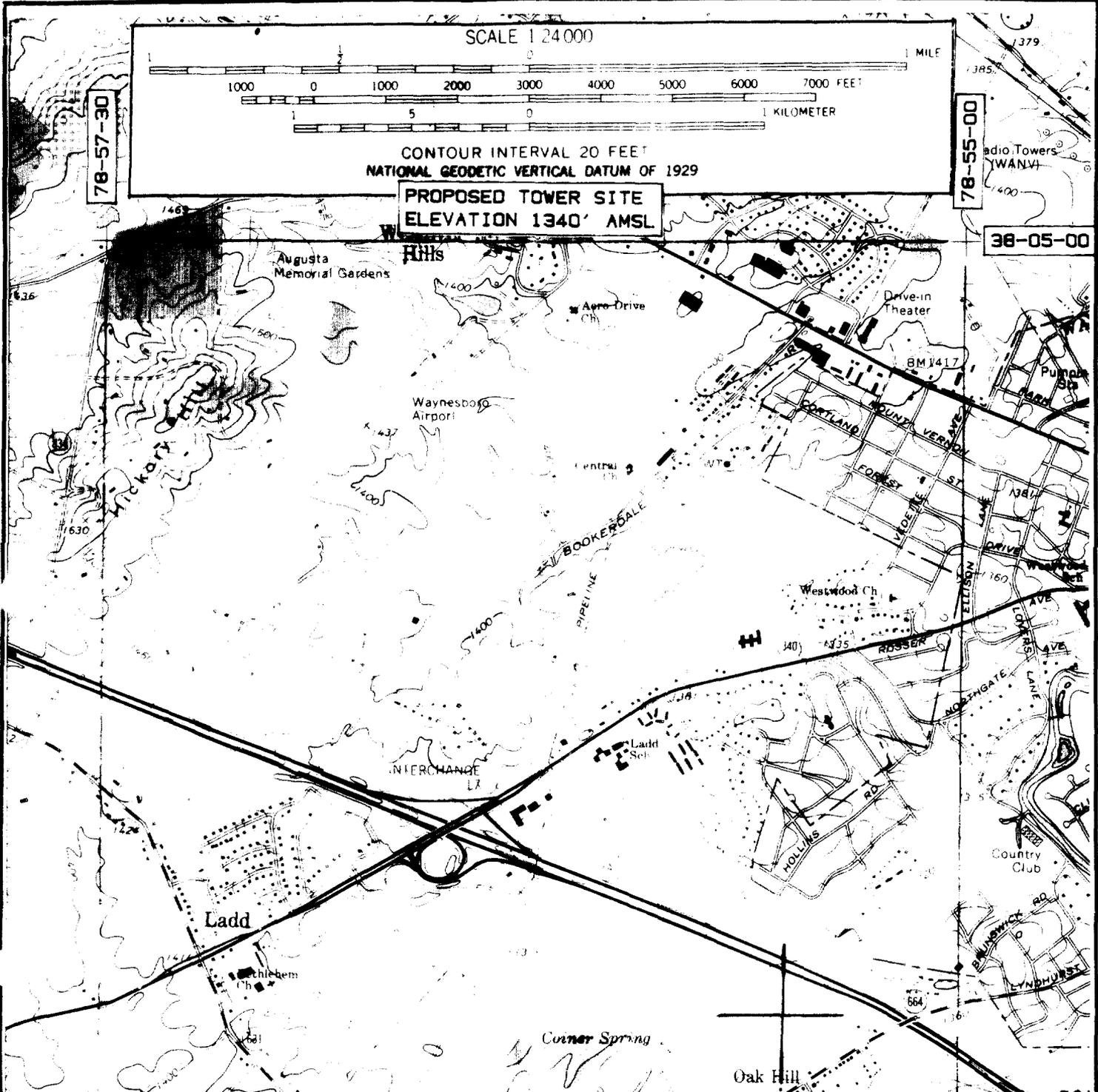
SEPTEMBER 1993

KILOMETERS

REFERENCE POINT COORDS:	MAP PROJECTION-Albers
LATITUDE: 37 22 30	SCALE = 1:1,000,000
LONGITUDE: 80 15 0	TIC MARK INTERVAL: .5°



**PROPOSED TOWER SITE
ELEVATION 1340' AMSL**



PROPOSED SITE COORDINATES:
 NAD 83- N LAT 38-03-14.5
 W LONG 78-55-30.1

NAD 27- N LAT 38-03-14
 W LONG 78-55-31

MAP IS A PORTION OF THE USGS 24,000 SCALE
 TOPOGRAPHIC MAP 'WAYNESBORO WEST, VA'

SITE DETAIL MAP

EXHIBIT #3
 HOMETOWN MEDIA
 WAYB AM RADIO STATION
 1490 kHz - 1.0 kW
 WAYNESBORO, VIRGINIA

SEPTEMBER 1993

WAYNESBORO WEST QUADRANGLE
 VIRGINIA
 7.5 MINUTE SERIES (TOPOGRAPHIC)

BROMO
 COMMUNICATIONS

BROADCAST TECHNICAL CONSULTANTS
 Sr Simons Island, Georgia Washington, D.C.

38-02-30

COMMONWEALTH OF VIRGINIA
DIVISION OF MINERAL RESOURCES

WAYNESBORO WEST QUADRANGLE
VIRGINIA

7.5 MINUTE SERIES (TOPOGRAPHIC)

1:62,500 FEET (NORTH)

1:62,500 FEET (NORTH)

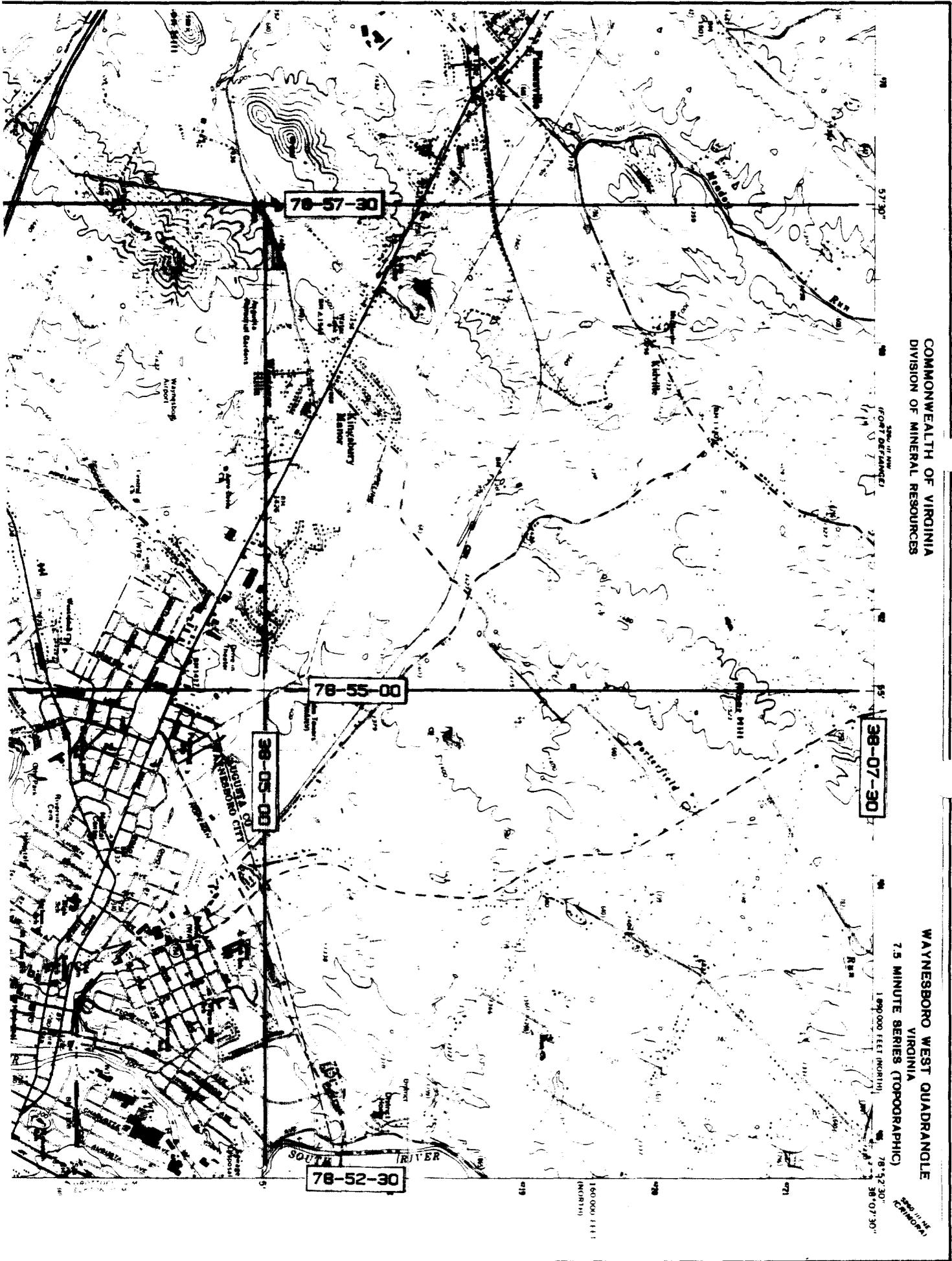
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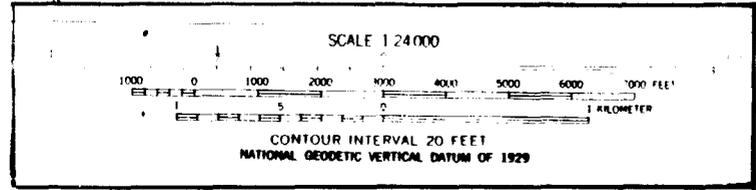
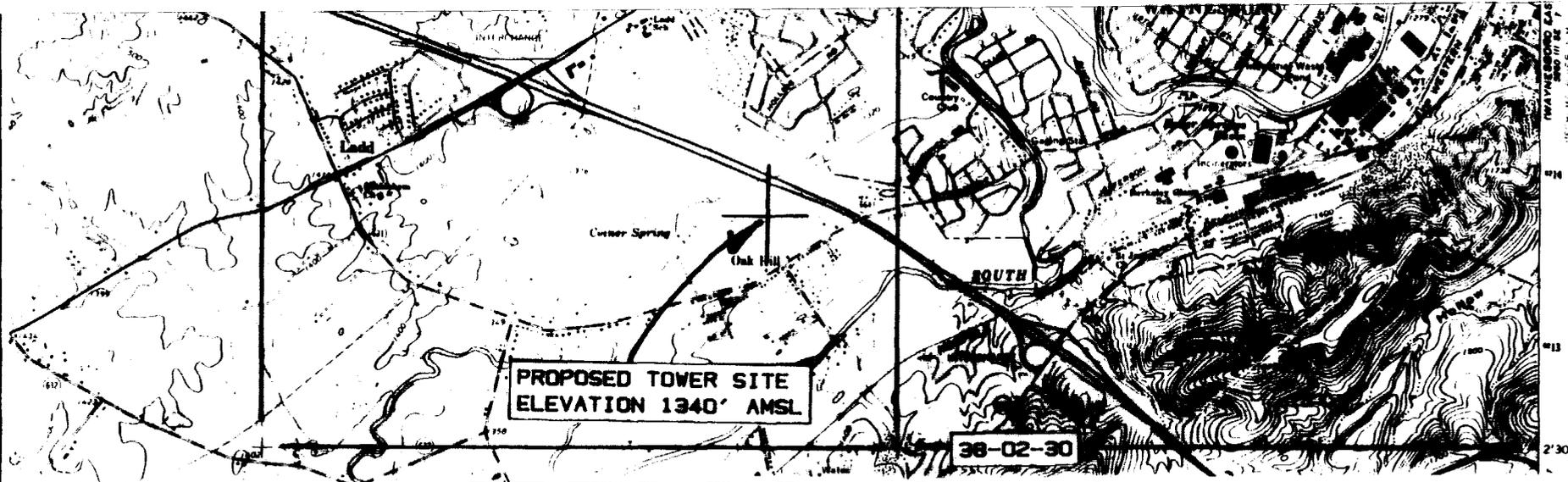
78-57-30

78-55-00

38-05-00

78-52-30





SITE MAP (REDUCED SCALE)

PROPOSED SITE COORDINATES:
 NAD 83 - N LAT 38-03-14.5
 W LONG 78-55-30.1

 NAD 27 - N LAT 38-03-14
 W LONG 78-55-31

MAP IS A PORTION OF THE 'WAYNESBORO, VA'
 7.5 MINUTE TOPOGRAPHIC MAP (PHOTO-REDUCED)

EXHIBIT #3A
 HOMETOWN MEDIA
 WAYB AM RADIO STATION
 1490 kHz - 1.0 kW
 WAYNESBORO, VIRGINIA

 SEPTEMBER 1993

BROMO BROADCAST
COMMUNICATIONS TECHNICAL CONSULTANTS
 St Simons Island, Georgia Washington, D.C.

AFFIDAVIT AND QUALIFICATIONS OF CONSULTANT

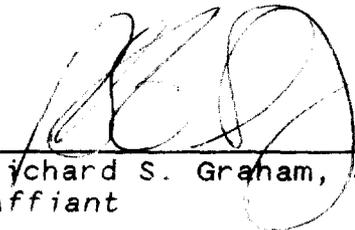
State of Georgia)
St. Simons Island)
County of Glynn) ss:

RICHARD S. GRAHAM, JR. being duly sworn, deposes and says that he is an officer of Bromo Communications, Inc. Bromo has been engaged by Hometown Media, licensee of Radio Station WAYB (AM), to prepare the attached Technical Exhibit.

His qualifications are a matter of record before the Federal Communications Commission. He is a graduate of Auburn University and has been active in broadcast engineering since 1972.

The attached report was either prepared by him or under his direction and all material and exhibits attached hereto are believed to be true and correct.

This the 16th day of September, 1993.


Richard S. Graham, Jr.
Affiant

Sworn to and subscribed before
me this the 16th day of Sseptember, 1993


Notary Public, State of Georgia
My Commission Expires: September 8, 1995

WAYB(AM)
(Formerly WZKT)
Waynesboro, Virginia

APPENDIX B

EXTRACT AS TAKEN FROM THE FIRST DRAFT OF THE MINUTES OF A REGULAR MEETING OF WAYNESBORO CITY COUNCIL AS HELD ON MONDAY, SEPTEMBER 27, 1993:

ORDINANCE, SECOND READING/RESTRICTED LEASE CITY PROPERTY/RADIO TOWER: Harley A. Tomey, Jr., moved that the second reading of this ordinance be dispensed with and that it be adopted by the reading of the title only. The City Manager read the title as follows: AN ORDINANCE GRANTING A RESTRICTED LEASE OF CITY OWNED REAL ESTATE AS SHOWN ON A "PLAT SHOWING 7.54 ACRES PROPOSED FRANCHISE SITE ON 145.219 ACRES, COYNER SPRINGS TRACT, WAYNESBORO, VIRGINIA," DATED AUGUST 19, 1993, BY THE CITY ENGINEERING DEPARTMENT, WAYNESBORO, VIRGINIA, FOR THE SPECIFIED PURPOSES SET FORTH HEREIN. The motion was seconded by Louis A. Brooks, Jr.

Councilman Irvin asked whether or not a statement should be incorporated into the agreement noting that said agreement could be renewed. The City Attorney stated that that would take the agreement further than the City is authorized to under State law. Mr. Yount noted the agreement has to be completely redone at the end of the lease period.

Mayor Gorsuch stated that public hearings have been held on this matter prior to this date and he added that although public comment would be received this date, Council asks that discussion be strictly limited to those who were not able to attend such hearings or to those who had something new to add.

Buddy Noe, a resident of Rice Avenue, noted his concern was not with the radio tower itself, but with the fact that the City would rezone property in the Coyner Springs Tract. He asked what type of rezoning may come next. Mr. Noe stated the land was originally purchased to protect the water rights of Waynesboro and he indicated that was the way he felt it should remain.

Mr. Noe expressed the opinion that their 109 signatures on the petition presented should at least carry more weight than the 22 signatures obtained in the Ivy Street area where the request was shot down. He stated that from reading the papers however, it appears the issue has been "cut and dried" from day one, and this process is just going through the show.

In answer to a question by Councilman Irvin, Mr. Noe indicated that he was aware of where the tower would be located. He questioned if rezoning of the entire seven acres was necessary and the City Manager stated it was in order to have the area needed for the guy wires.

Councilman Irvin noted that the land is actually already zoned RA-1, and could by right, encompass things allowable under that zoning. The City Manager noted that the proposed use of the property for a radio tower would not harm any development of the

park if the city in fact ever decides to expand the property's recreational usage. He also noted that the proposed location is an extreme distance from the city's water supply so as not to be a hinderance of such in any way.

Mr. Gwaltney stated that although one should never say never, there is no intention by the city, to ever develop this area other than for future possible recreational purposes.

Mr. Noe concluded his comments by stating that he had nothing against the tower but would just like to see Mr. Showers use the one already in existence.

With no further speakers appearing, the Mayor called for a vote on the motion and second shown hereinabove to adopt the ordinance approving the request. The motion carried and the ordinance was adopted on the affirmative votes of Councilmen Irvin, Tomey, Higgs and Brooks with Mayor Gorsuch voting against. (1993-43)

ORDINANCE, SECOND READING/REZONING CITY PROPERTY/RADIO TOWER:

Harley A. Tomey, Jr., moved that the second reading of this ordinance be dispensed with and that it be adopted by the reading of the title only. The City Manager read the title as follows: AN ORDINANCE REZONING A CERTAIN 7.54-ACRE PARCEL OF CITY-OWNED REAL ESTATE AS SHOWN ON A "PLAT SHOWING 7.54 ACRES PROPOSED FRANCHISE SITE ON 145.219 ACRES, COYNER SPRINGS TRACT, WAYNESBORO, VIRGINIA," DATED AUGUST 19, 1993, BY THE CITY ENGINEERING DEPARTMENT, WAYNESBORO, VIRGINIA, FROM RA-1 (SINGLE FAMILY DISTRICT), TO RB-1 (GENERAL DWELLING DISTRICT). Seconded by Louis A. Brooks, Jr., and hearing no further discussion, the motion carried and the ordinance was adopted on the affirmative votes of Councilmen Irvin, Tomey, Higgs and Brooks with Mayor Gorsuch voting against. (1993-44)

ORDINANCE, SECOND READING/CONDITIONAL USE/PLACEMENT OF RADIO TOWER ON CITY PROPERTY:

R. Jack Higgs, moved that the second reading of this ordinance be dispensed with and that it be adopted by the reading of the title only. The City Manager read the title as follows: AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO ALLOW THE INSTALLATION OF A RADIO TRANSMISSION TOWER ON A CERTAIN 7.54-ACRE PARCEL OF CITY-OWNED REAL ESTATE AS SHOWN ON A "PLAT SHOWING 7.54 ACRES PROPOSED FRANCHISE SITE ON 145.219 ACRES, COYNER SPRINGS TRACT, WAYNESBORO, VIRGINIA," DATED AUGUST 19, 1993, BY THE CITY ENGINEERING DEPARTMENT, WAYNESBORO, VIRGINIA. Seconded by Louis A. Brooks, Jr., and hearing no further discussion, the motion carried and the ordinance was adopted on the affirmative votes of Councilmen Irvin, Tomey, Higgs and Brooks with Mayor Gorsuch voting against. (1993-45)

Mayor Gorsuch reminded Mr. Showers that he has an action

actually tabled at the Planning Commission concerning his other request for placement of the tower off of Edwardian Lane, that needs to either be withdrawn or disposed of by the Planning Commission before that 45 day period is up.

I, Wilma M. Zeh, Clerk of Council in and for the City of Waynesboro, Virginia, do hereby certify the foregoing to be a true copy as taken from the first draft of the minutes of a regular meeting of Waynesboro City Council as held on Monday, September 27, 1993.


Wilma M. Zeh Clerk of Council
City of Waynesboro, Virginia

ORDINANCE NUMBER 1993-43

AN ORDINANCE GRANTING A RESTRICTED LEASE FOR THE USE OF A CERTAIN 7.54-ACRE PARCEL OF CITY OWNED REAL ESTATE AS SHOWN ON A "PLAT SHOWING 7.54 ACRES PROPOSED FRANCHISE SITE ON 145.219 ACRES, COYNER SPRINGS TRACT, WAYNESBORO, VIRGINIA," DATED AUGUST 19, 1993, BY THE CITY ENGINEERING DEPARTMENT, WAYNESBORO, VIRGINIA FOR THE SPECIFIED PURPOSES SET FORTH HEREIN

BE IT ORDAINED by the Council of the City of Waynesboro, Virginia:

Section 1. A franchise is hereby granted to Hometown Media, Inc., (hereinafter "Franchisee") in form of a restricted lease for the use of a certain 7.54-acre parcel of city-owned real estate as shown on a "Plat Showing 7.54 acres Proposed Franchise Site on 145.219 Acres, Coyner Springs Tract, Waynesboro, Virginia," dated August 19, 1993, by the City Engineering Department, Waynesboro, Virginia, which plat is attached hereto and made a part hereof, for the specified purpose of erecting a radio tower not in excess of 400 feet in height, with copper ground wires to be installed under the surface every three degrees not to exceed 240 feet from the tower center, guy wires supporting the tower to be installed not in excess of 270 feet radius from the tower center, and non-permanent, relocatable, prefabricated transmitter building not in excess of 400 sq. ft., the said tower, ground wires, guy wires, and transmitter building to be located at a place on the said City-owned parcel to be designated by the City and to be installed in accordance with the specifications approved by the City engineer, and with the right of access to and from said tower and transmitter building for the purpose of maintenance, such right of access to be as approved by the City engineer. The said lease is subject to the following additional provisions:

Section 2. The term of the lease shall be for a term of 25 years, beginning with the effective date of this ordinance, October 7, 1993.

Section 3. The lease is granted strictly in accordance with Section 15.1-308 et. seq. of the Code of Virginia, 1950, as amended, and the Code of the City of Waynesboro, Virginia.

Section 4. The lessee shall be responsible for the full cost of installation and maintenance of the said tower, ground wires, guy wires and transmitter building and shall be responsible for restoring, after maintaining, during the term hereof, the said property as nearly as possible to its original condition, the City

hereby reserving the right to use its said property hereby leased to the full extent that does not interfere with the limited right of franchise granted to Franchisee hereunder.

Section 5. The Franchisee agrees and binds itself to indemnify, keep and hold the City free and harmless from liability on account of injury or damage to persons, firms or corporations or property growing out of or directly or indirectly resulting from Franchisee's use of the property leased hereunder, or the exercise of any right granted by or under this franchise or the failure, refusal, omission or neglect of the Franchisee to perform any duty imposed upon or assumed by the Franchisee by or under this franchise, whether such injury or damage occurs during the life of or after the expiration date of this franchise. In the event that any suit or proceeding shall be brought jointly against the City and the Franchisee, at law or in equity, on account thereof, the Franchisee will defend the City in any such suit or proceeding at the cost of the Franchisee, provided the City gives such assistance and cooperation in the defense of any such suit or proceeding as in the opinion of counsel for the Franchisee may be necessary or desirable to a proper defense. In the event of a final judgment or decree in any such suit or proceeding being obtained against the City either independently or jointly with the Franchisee, then the Franchisee will pay such judgment or comply with such decree and bear all costs and expenses of whatsoever nature and hold the City harmless therefrom.

Franchisee's obligation to indemnify City hereunder shall run to and include any and all such claims, damages, losses, costs, expenses, or judgments which may be awarded in any such legal action, and to pay all expenses including, but not limited to, reasonable attorney fees, reasonable investigative costs and court costs; PROVIDED, Franchisee has received actual notice of such claim or loss, or received lawful service of process in any legal action or proceeding for which Franchisee may be required to reimburse the City under the terms of this provision, and provided further that the Franchisee has control of the defense of any such claim or suit. However, no provision of this ordinance shall be construed to render the Franchisee liable for the negligence of the City, its agents or employees, its contractors, or any other persons. The Franchisee, its successors and assigns, shall obtain and keep in full force and effect during the life of this franchise a policy or policies of liability insurance issued by surplus lines insurer(s), in an adequate amount or amounts as required and approved by the City, and, upon request, file certificate or certificates thereof in the office of the Clerk of the City.

Section 6. The annual fee for the use of this right so leased shall be \$2,400 per year, payable in monthly installments of \$200 in advance to the City of Waynesboro, Virginia, on or before the 5th day of each month during the term hereof.

Section 7. This lease to be exclusively for the purpose stated herein and for no other purpose and all residuary interest

in the property so leased for said specific purpose shall remain solely in fee and in the control and title of the City of Waynesboro, Virginia;

Section 8. Franchisee must maintain on file with the City during the term hereof a surety bond in the amount of \$5,000, to be increased annually by the amount of the Consumer Retail Price Index, payable to the City on failure of Franchisee to remove said tower and building from City's premises within sixty (60) days of the last month for which Franchisee pays monthly lease fee hereunder to the City, or, in the alternative, Franchisee shall deposit in an escrow account the sum of \$5,000, which on such failure shall be paid, with all interest accrued thereon, to the City, which principal and interest the City shall use for the removal of said building and tower, and all appurtenances thereto above or below ground.

Section 9. The City reserves the right by ordinance or resolution to establish any reasonable regulations for the convenience, safety and protection of its inhabitants under its police powers. The rights herein granted are subject to the exercise of such police powers as the same now are or may hereafter be conferred upon the City.

Section 10. The right of the City to impose any lawful franchise, license, property or other tax upon the franchise herein granted and upon properties or Facilities constructed or installed by the Franchisee hereunder shall not be deemed to be waived, abridged or in any way affected by this ordinance.

Section 11. The franchise, lease, and rights hereby granted and conferred are conditioned upon the Franchisee at all times complying fully with all applicable federal, state, or local laws or regulations applicable to the use for which Franchisee may from time to time use the leased premises hereunder.

Section 12. The rights and privileges hereby granted to Franchisee may not be transferred or assigned to any other person or entity without the permission in writing of the City which permission shall not unreasonably be withheld.

Section 13. The hereinabove rights shall be conditioned on City Council approving a conditional use permit under the terms of Chapter 27 of the City Code to allow the aforesaid construction to take place in the flood district.

Section 14. Notices hereunder shall be sent to the City, c/o City Manager, 250 South Wayne Avenue, P. O. Box 1028, Waynesboro, Virginia 22980, and the Franchisee at Rt. 2, Box 220, Forest, VA 24551 or, when local notice to the Franchisee is permissible hereunder such notice shall be given to Phillip C. Showers, President.

INTRODUCED: on September 13, 1993 by Harley A. Tomey, Jr.

ADOPTED: September 27, 1993

EFFECTIVE: October 7, 1993

/s/ Wilma M. Zeh

CLERK

/s/ Thomas L. Gorsuch, M.D.

MAYOR

ORDINANCE NUMBER 1993-44

AN ORDINANCE REZONING A CERTAIN 7.54-ACRE PARCEL OF CITY-OWNED REAL ESTATE AS SHOWN ON A "PLAT SHOWING 7.54 ACRES PROPOSED FRANCHISE SITE ON 145.219 ACRES, COYNER SPRINGS TRACT, WAYNESBORO, VIRGINIA, DATED AUGUST 19, 1993, BY THE CITY ENGINEERING DEPARTMENT, WAYNESBORO, VIRGINIA, FROM RA-1 (SINGLE FAMILY DISTRICT) TO RB-1 (GENERAL DWELLING DISTRICT)

WHEREAS, upon application of Jerry L. Gwaltney, City Manager, on behalf o the City of Waynesboro, Virginia, owner, a joint public hearing was held by the City Planning Commission and the City Council, pursuant to notice thereof as required by Section 27-80 of the Code of this City and Section 15.1-431 of the Code of Virginia, both as amended, and

WHEREAS, it appears that the proposed rezoning is consistent with good zoning practice, is justified by the public necessity, convenience, and general welfare, and is in accord with the comprehensive plan of this City;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Waynesboro, Virginia, that a certain 7.54-acre parcel of city-owned real estate as shown on a "Plat Showing 7.54 acres Proposed Franchise Site on 145.219 Acres, Coyner Springs Tract, Waynesboro, Virginia," dated August 19, 1993, by the City Engineering Department, Waynesboro, Virginia, which plat is attached hereto and made a part hereof, be and the same hereby is rezoned from RA-1 (Single Family District) to RB-1 (General Dwelling District).

INTRODUCED: on September 13, 1993 by Harley A. Tomey, Jr.

ADOPTED: September 27, 1993

EFFECTIVE: October 7, 1993

/s/ Wilma M. Zeh
CLERK

***** /s/ Thomas L. Gorsuch, M.D.
MAYOR

S 4008RS

ORDINANCE NUMBER 1993-45

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO ALLOW THE INSTALLATION OF A RADIO TRANSMISSION TOWER ON A CERTAIN 7.54-ACRE PARCEL OF CITY-OWNED REAL ESTATE AS SHOWN ON A "PLAT SHOWING 7.54 ACRES PROPOSED FRANCHISE SITE ON 145.219 ACRES, COYNER SPRINGS TRACT, WAYNESBORO, VIRGINIA," DATED AUGUST 19, 1993, BY THE CITY ENGINEERING DEPARTMENT, WAYNESBORO, VIRGINIA

WHEREAS, upon application of Jerry L. Gwaltney, City Manager, on behalf of the City of Waynesboro, Virginia, owner, a joint public hearing was held by the City Planning Commission and the City Council, pursuant to notice thereof as required by Section 27-80 of the Code of this City and Section 15.1-431 of the Code of Virginia, both as amended, and

WHEREAS, the proposed use of the property by the applicant is included specifically as one of the permitted conditional uses in an RB-1 (General Dwelling District) in which it is proposed to be located, and

WHEREAS, the proposed use will have no more adverse effect on the health, safety, or comfort of persons living or working in the area and will be no more injurious, economically or otherwise, to property or improvements in the surrounding area than would any use generally permitted in an RB-1 General Dwelling District;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Waynesboro, Virginia, that the City or its franchisee, Hometown Media, Inc., be and the same are hereby granted a conditional use permit to allow the installation of a radio transmission tower on a certain 7.54-acre parcel of city-owned real estate as shown on a "Plat Showing 7.54 acres, Proposed Franchise Site on 145.219 Acres, Coyner Springs Tract, Waynesboro, Virginia," dated August 19, 1993, by the City Engineering Department, Waynesboro, Virginia, which plat is attached hereto and made a part hereof.

This ordinance is conditioned on the adoption of and will take effect simultaneously with, An Ordinance rezoning a certain 7.54 acre parcel of City-owned real estate as shown on a "Plat Showing 7.54 acres proposed franchise site on 145.219 acres, Coyner Springs Tract, Waynesboro, Virginia", dated August 19, 1993, by the City Engineering Department, Waynesboro, Virginia, from RA-1 (Single Family District) to RB-1 (General Dwelling District).

INTRODUCED: on September 13, 1993 by R. Jack Higgs

ADOPTED: September 27, 1993

EFFECTIVE: October 7, 1993

/s/ Wilma M. Zeh

CLERK

/s/ Thomas L. Gorsuch, M.D.

MAYOR

NationsBank®

NationsBank of Virginia, N.A.

Cashier's Check

5668871

Responsibility
Center / 1011750

68-1/510

46-14-1751 (1) 10/15/93
670-4101 (1) 10/15/93

Date Oct. 15, 1993

NationsBank **100** US **00** CTS

\$ 100.00

Pay
to the Order of

Dollars

FCC

Yolanda Showers

Purchaser / Purpose

Charlie W. Brown
Authorized Signature

⑈ 5668871⑈ ⑆ 051000017⑆ 0181 6002⑈

Rm-739

FCC MAIL ROOM

FEDERAL COMMUNICATIONS COMMISSION

Washington, D.C. 20054

August 18, 1993

Aug 19 1993

In Reply Refer To:
8910 - SML
Stop Code 180082

BY
Catherine M. Withers, Esquire
Gardner, Carton & Douglas
1301 K Street, NW
Suite 900, East Tower
Washington, D.C. 20005

In re: WAYB (AM)
Waynesboro, Virginia

Dear Sir or Madame:

This letter concerns your pending request for authority to remain silent. Temporary authority is hereby granted for the above-referenced station(s) to remain silent for three months from the date of this letter.

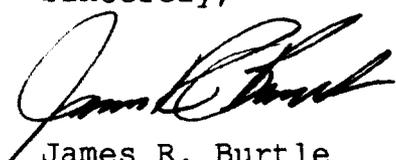
On December 11, 1991, the Commission adopted a Report and Order (copy attached) which amended Part 1 of the Commission's Rules, to implement Section 5301 of the Anti Drug Abuse Act of 1988. Pursuant to the Report and Order, any requests for extension of this authority must be accompanied by a certification that neither the applicant nor any party to the request is subject to a denial of Federal benefits under Section 5301. Please use the attached certification page to comply with this requirement.

Any further requests for extension of this authority must be accompanied by a detailed summary of steps taken to return the station to on-air operations.

It will be necessary to maintain prescribed tower lighting in accordance with the stations license authorization. If an extension is not required, you are requested to notify the Commission, in writing, of the exact date the station resumes on-air operations.

In the event that any AM station remains silent for a period over 6 months, it will be necessary to file with the Commission, prior to returning the station to on-air operations, an FCC Form 302 for direct measurement of power which should include a partial proof of performance for stations with directional antennas.

Sincerely,



James R. Burtle
Chief, AM Branch
Audio Services Division
Mass Media Bureau

8910-SML
WAYB (AM)

ANTI-DRUG ABUSE ACT CERTIFICATION

The applicant certifies that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862a, or, in the case of a non-individual applicant (e.g. corporation, partnership or other unincorporated association), no party to the application is subject to a denial of federal benefits pursuant to that section. For the definition of a "party" for these purposes, see 47 C.F.R. § 1.2002(b).

Yes

No

Name of Applicant	Signature
Date	Title

RECEIVED

AUG 10 1993

GARDNER, CARTON & DOUGLAS

1301 K STREET, N.W.

SUITE 900, EAST TOWER

WASHINGTON, D.C. 20005

(202) 408-7100

FACSIMILE: (202) 289-1504

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

WRITER'S DIRECT DIAL NUMBER

Catherine M. Withers
(202) 408-7114

CHICAGO ILLINOIS

August 10, 1993

Federal Communications Commission
AM Branch
1919 M Street, N.W., Room 342
Washington, D.C. 20554

Attention: James R. Burtle
Chief, AM Branch
Audio Services Division
Mass Media Bureau

AM BRANCH

AUG 12 1993

Re: WAYB(AM)
Waynesboro, Virginia
Authority to Remain Silent
FCC Ref. 8910-SML
Stop Code 1800B2

Dear Mr. Burtle:

This letter is filed in response to your letter, dated July 23, 1993, wherein you questioned the on-air status of Station WAYB (AM), Waynesboro, Virginia. In response to your inquiry, please find enclosed a copy of a letter from James K. Edmundson of this office, dated July 6, 1993, requesting authority for Station WAYB to remain silent through October 6, 1993. Also enclosed herewith is an executed copy of the required Anti-Drug Abuse Act Certification which should be associated with the July 6 request.

Please direct any inquiries concerning the foregoing to M. Scott Johnson of this office (202-408-7122) or the undersigned counsel.

Sincerely,

Catherine M. Withers

Catherine M. Withers

CMW:jb
Enclosure

cc: Sharlene Lofty (w/enclosure)
FCC, Room 344

GARDNER, CARTON & DOUGLAS

FILE COPY

1301 K STREET N.W.

SUITE 900, EAST TOWER

WASHINGTON, D.C. 20005

CHICAGO, ILLINOIS

WRITER'S DIRECT DIAL NUMBER

James K. Edmundson
(202) 408-7162

(202) 408-7100

FACSIMILE: (202) 289-1504

July 6, 1993

AM BRANCH

JUL 06 1993

Federal Communications Commission
Mass Media Bureau
AM Branch
1919 M Street, N.W., Room 342
Washington, D.C. 20554

Attention: James R. Burtle
Chief, AM Branch

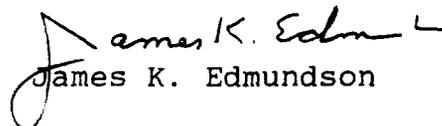
RE: WAYB(AM) (formerly WZKT)
Waynesboro, Virginia
Authority to Remain Silent
FCC Ref 8910-SML

Dear Mr. Burtle:

On behalf of SlocuMedia, Inc., the Commission is respectfully requested to authorize standard broadcast Station WAYB (formerly WZKT), Waynesboro, Virginia, to remain silent for 90 days to and including October 6, 1993. (The previous authorization through June 1, 1993, was inadvertently permitted to expire.) As the Commission's records will reflect, there is presently pending before the Commission an application to assign the WAYB license to Hometown Media, Inc. (BAL-920902ED). The assignment application is still pending. For this reason, the licensee respectfully requests the Commission to authorize WAYB to remain silent pending a final determination on the assignment application. An Anti-Drug Abuse Certification will be submitted as a supplement to this request.

Please direct inquiries concerning this request to M. Scott Johnson (202/408-7122) of this office or to the undersigned.

Sincerely,


James K. Edmundson

cc: Sharlene Lofty
FCC, Room 344

JKE:vld
38076-001\40233.2

RECEIVED

AUG 10 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

ANTI-DRUG ABUSE ACT CERTIFICATION

AUG 10 1993

The applicant certifies that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits pursuant to section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 853a, or, in the case of a non-individual applicant (e.g. corporation, partnership or other unincorporated association), no party to the application is subject to a denial of federal benefits pursuant to that section. For the definition of a "party" for these purposes, see 47 C.F.R. § 1.2002(b).

Yes

No

Name of Applicant SlocuMedia, Inc.	Signature 
Date 8/9/93	Title President

RECEIVED

AUG 10 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY
CHICAGO ILLINOIS

GARDNER, CARTON & DOUGLAS

1301 K STREET N.W.
SUITE 900 EAST TOWER
WASHINGTON D C 20005
(202) 408-7100
FACSIMILE 202 289-1504

WRITER'S DIRECT DIAL NUMBER
Catherine M. Withers
(202) 408-7114

August 10, 1993

Federal Communications Commission
AM Branch
1919 M Street, N.W., Room 342
Washington, D.C. 20554

Attention: James R. Burtle
Chief, AM Branch
Audio Services Division
Mass Media Bureau

Re: WAYB(AM)
Waynesboro, Virginia
Authority to Remain Silent
FCC Ref. 8910-SML
Stop Code 1800B2

Dear Mr. Burtle:

This letter is filed in response to your letter, dated July 23, 1993, wherein you questioned the on-air status of Station WAYB (AM), Waynesboro, Virginia. In response to your inquiry, please find enclosed a copy of a letter from James K. Edmundson of this office, dated July 6, 1993, requesting authority for Station WAYB to remain silent through October 6, 1993. Also enclosed herewith is an executed copy of the required Anti-Drug Abuse Act Certification which should be associated with the July 6 request.

Please direct any inquiries concerning the foregoing to M. Scott Johnson of this office (202-408-7122) or the undersigned counsel.

Sincerely,

Catherine M. Withers
Catherine M. Withers

CMW:jb
Enclosure

cc: Sharlene Lofty (w/enclosure)
FCC, Room 344